

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF:) BK. NO. 09-82347-TJM
)
DEWAYNE K. LONG) CHAPTER 13
SSN: ###-##-2479)
)
)
)
)

Debtor.

TRUSTEE'S OBJECTION TO CLAIM OF WELLS FARGO BANK, NA - COURT CLAIM #26

COMES NOW, Kathleen A. Laughlin, Chapter 13 Trustee, and objects to the claim filed by **WELLS FARGO BANK, NA** for the following reasons:

Pursuant to Federal Rule of Bankruptcy Procedure 3002(c) a proof of claim in a Chapter 13 Bankruptcy proceeding must be filed "not later than 90 days after the first date set for the meeting of creditors". Thus, proofs of claim were required to be filed in this case on or before **1/11/10**. **WELLS FARGO BANK, NA** did not file a proof of claim until **2/2/10** and therefore, the claim is untimely filed.

WHEREFORE, the Chapter 13 Trustee prays that her objection to the claim of **WELLS FARGO BANK, NA** be granted and the claim disallowed.

DATED: February 4, 2010

s/ Kathleen A. Laughlin
Kathleen A. Laughlin #16883
Chapter 13 Trustee
13930 Gold Circle, Suite #201
Omaha, NE 68144
(402) 697-0437
1-800-884-0437

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Trustee's Objection was served on PATRICIA A GERINGER, debtor attorney via the CM/ECF system of the United States Bankruptcy Court and a copy was mailed on February 4, 2010, by first-class, U.S. mail, postage prepaid to the Debtor and the Creditor at the address listed below:

DEWAYNE K. LONG
P O BOX 3
ASHLAND, NE 68003

WELLS FARGO BANK, NA
MAC S4101-08C
100 W WASHINGTON ST
PHOENIX, AZ 85003

s/ Kathleen A. Laughlin
Kathleen A. Laughlin

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NOTICE SETTING RESISTANCE DEADLINE

PURSUANT TO Neb. R. Bankr. P. 9013-1, you are notified as follows:

1. KATHLEEN A. LAUGHLIN, Chapter 13 Trustee, has filed a Trustee's Objection to claim of **WELLS FARGO BANK, NA**.
2. The last day to file a resistance to the proof of claim of **WELLS FARGO BANK, NA** is **February 25, 2010**. The Resistance must be served on the Trustee and the Debtor or Debtor's Attorney.
3. If the resistance period expires without the filing of any resistance, the Court will consider entering an order granting the relief sought without further notice or hearing.

DATED: February 4, 2010

s/ Kathleen A. Laughlin
Kathleen A. Laughlin #16883
Chapter 13 Trustee
13930 Gold Circle, Suite #201
Omaha, NE 68144
(402) 697-0437
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s/ Kathleen A. Laughlin
Kathleen A. Laughlin